

Magruder Holdings, Inc. 141

Importers, Grocers and Wine Merchants

Since 1875

Post Office Box 1432 Rockville, Maryland 20850

Phone 301-230-3000

VOLUNTARY AGREEMENT

May 26, 1999

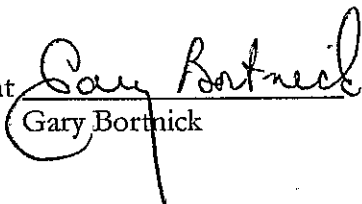
Magruder's, 5618-26 Connecticut Avenue, NW, Washington, DC and Ms. Kathy Rohn Le-Dain, 3836 McKinley Street, NW, Washington, DC, have entered into a voluntary agreement pertaining to the renewal of Magruder's Retail A Liquor License.

The parties involved agreed verbally on May 26, 1999 that the following three concerns would be addressed:

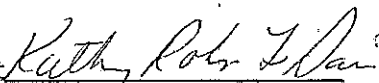
1. Magruder's will promptly remove or paint over (within sixty days of any occurrence) any graffiti from the walls surrounding the parking lot as well as all areas of the commercial space occupied by Magruder's, including trash receptacles;
2. Magruder's will install sound mufflers or other silencing equipment in front of the refrigeration and air conditioning units on the roofs of the buildings occupied by Magruder's; and
3. Magruder's will plant one (1) eight to ten foot Leyland Cypress or White Pine tree at the entrance of the parking lot to match the existing trees which were planted in 1997.

By signing this voluntary agreement, Protestant agrees to withdraw her protest of Applicant's renewal for a Retail A License. Applicant agrees to resolve the three issues as soon as possible, (ASAP) no later than June 25, 1999.

Applicant


Gary Bortnick

Protestant


Kathy Rohn Le-Dain

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of :

Magruder of D.C. Inc.
t/a Magruder's

Application for a Retailer's License
A – renewal
at premises
5626 Connecticut Avenue, N.W.
Washington, D.C.

Case No. 141-99048P

Kathy Rohn Le Dain, Protestant

Gary Bortinick, President, on behalf of Applicant

**BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Allen Beach, Member
Ellen Oppenheimer, Esquire, Member
Max Salas, Member
Joseph Wright, Member**

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on April 13, 1999, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Kathy Rohn Le Dain filed a timely protest letter dated April 12, 1999.


The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated May 26, 1999, the protestant has agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Accordingly, it is this 27th day of September, 1999, **ORDERED** that:


Magruder of D.C. Inc.
t/a Magruder's
Page two


1. The protest of Kathy Rohn Le Dain, be, and the same hereby, is **WITHDRAWN**;
2. The application of Magruder of D.C. Inc. t/a Magruder's for a retailer's class A license (renewal) at premises 5618-26 Connecticut Avenue, N.W., Washington, D.C., be, and the same hereby, is **GRANTED**;
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**; and,
4. Copies of this Order shall be sent to the Protestant and the Applicant.

District of Columbia
Alcoholic Beverage Control Board


Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Allen Beach, Member


Ellen Oppenheimer, Esquire, Member


Max Salas, Member

Joseph Wright